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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/982,981 | 10/22/2001 | George D. Escobar | 06975-166002 | 7232 |
| 26171 | 7590 | 01/27/2005 | | |
| FISH & RICHARDSON P.C. 1425 K STREET, N.W. 11TH FLOOR WASHINGTON, DC 20005-3500 | | | EXAMINER GRANT, CHRISTOPHER C | |
| | | | ART UNIT | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.



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In re Application of)
George D. Escobar, et al.)
Application No. 09/982,981)
Filed: October 22, 2001)
US Publication No. 2002/0053084)
Published: May 2, 2002)
For: **CUSTOMIZED ELECTRONIC PROGRAM**)
GUIDE)

**NOTIFICATION OF
IDENTIFICATION OF PRIOR
ART IN LATE PROTEST UNDER 37**

C.F.R. § 1.291(a)

The protest filed 5/24/04 under 37 CFR 1.291 was filed after the 5/2/02 publication date of the application.

Because the protest was filed after publication of the application, it is untimely and it is not being entered in the application file. The original protest is enclosed with this letter and the duplicate copy (if any) submitted by the protestor is being destroyed in accordance with MPEP § 1901.06, Protest Filed After Allowance Or The Publication Of The Application.

If appropriate, Applicant may wish to consider submitting prior art from the protest pursuant to 37 C.F.R. § 1.97 and 37 C.F.R. § 1.56 during the prosecution of the application.

Krista Zele
Special Programs Examiner
Technology Center 2600
Communications

Enc: Protest (4 pages)